

**FINDINGS OF CONFORMANCE
MULTIPLE SPECIES CONSERVATION PROGRAM
For North Jamul Wireless Telecommunications Facility
P04-043; ER 04-19-019**

May 23, 2008

I. Introduction

The proposed project is a Major Use Permit to develop an unmanned wireless communication facility. The project consists of the addition of a 32 foot tall tower with 12 internally mounted panel antennas to an on-site single family residence and associated equipment. The associated equipment shelter will be approximately 24 feet long by 13 feet and 9 inches wide and will be attached to the single family residence. The equipment shelter will be painted and textured to match the residence and a wood roof deck will be placed on top of the shelter to further integrate the addition with the residence. Additionally, two air condenser units will be placed adjacent to the residence and will be surrounded on three sides by a 5 foot tall CMU block wall as a noise attenuation barrier.

The project site is located on Skyline Truck Trail in the Jamul/Dulzura Community Planning Group, within unincorporated San Diego County; APN 519-210-38. Access would be provided by a private driveway connecting to Skyline Truck Trail. The site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP) and is therefore subject to the Biological Mitigation Ordinance (BMO).

The biological study was completed for the project area and 100 ft beyond the proposed wireless facility and telco trench route. The project will impact 0.6 acres of urban developed habitat, 0.2 acres disturbed habitat, 0.8 acres of chamise chaparral, and 0.1 acres of flat top buckwheat (Table 1). Mitigation will consist of off-site habitat purchase and breeding season avoidance, as detailed in the Mitigation Negative Declaration (MND)

There were no County-sensitive plant species detected onsite. One County-sensitive wildlife species were observed on site: Cooper's hawk (*Accipiter cooperii*), which was observed flying over the project site. The project will be conditioned to prevent any disturbance during avian breeding season. The site is within the Metro-Lakeside-Jamul segment of the County Subarea Plan and is not considered a Biological Resource Core Area (BRCA).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Flat -topped Buckwheat	II	0.1	1:1	0.1
Chaparral	III	0.8	0.5:1	0.4
Urban/ Developed	IV	0.6	N/A	N/A
Disturbed	IV	0.2	N/A	N/A
Total:	--	1.7		0.5

The findings contained within this document are based on County records, staff site visits and the Biological Resource Map prepared by Vincent Scheidt Biological Consulting; April 2, 2008. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall require new findings based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

- i. **The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The project site is not shown as being a Pre-Approved Mitigation Area (PAMA) on the MSCP County Subarea Plan maps. The nearest PAMA area is located approximately 4,000 feet northeast and northwest of the project site.

- ii. **The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The site will not contribute to the long-term survival of sensitive species due to the existing residential development onsite and surrounding development. The cell site will impact a small amount of native habitat through fire clearing adjacent to the existing residential development. The site is not contiguous with any areas of biological open space nor any areas of PAMA or MSCP preserve lands.

- iii. **The land is part of a regional linkage/corridor. A regional linkage/corridor is either:**
 - a. **Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
 - b. **Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)**

The site is not part of a regional linkage/corridor as identified on MSCP maps nor is it in an area considered regionally important for wildlife dispersal. This developed parcel is surrounded by rural development on all sides.

- iv. **The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The majority of the site is mapped as "low" and "medium" value. The impacts will take place within the low value habitat surrounding the existing residence. The land does not link small isolated patches of habitat.

- v. **The land consists of or is within a block of habitat greater than 500 acres in an area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The land does not consist, nor is it within a block of undisturbed habitat greater than 500-acres. The land is surrounded by existing rural residential development and is not within a block of habitat greater than 500 acres. The nearest large block of diverse and undisturbed habitat within the MSCP is located half mile to the north.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:**
- a. Gabbroic rock;**
 - b. Metavolcanic rock;**
 - c. Clay;**
 - d. Coastal sandstone**

The land does not contain a high number of sensitive species. Soils on site consist of Cienega very rocky coarse sandy loam, which are not known to support sensitive species.

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

Project impacts will be mitigated by off site preservation. Off site purchases will be for 0.4 acres of chaparral and 0.1 acres of flat top buckwheat. These purchases will be within a County-approved mitigation bank in a BRCA within the MSCP.

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

The project will not impact any of these types of resources. Project design criteria, including attachments G and H of the BMO, are not required.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

No wetlands or wetland habitats are associated with the project impacts. Therefore, the project will not conflict with state and federal wetland goals or policies.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The project is placing a wireless communication facility on an existing single family residence. The required fire clearing will create minimal impacts to chaparral and flat top buckwheat. Because the project is located within the residences fire clearing zone it is not creating any additional impacts that would not otherwise be associated with residential development. The off site mitigation within a BRCA for impacts to chaparral and flat top buckwheat will be effective in maximizing diversity and preserving unique resources than trying to accommodate preservation on site.

3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.

There are no stands of Coastal Sage Scrub on the site. The MSCP habitat evaluation model ranks the site as low habitat value.

4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.

Due to existing development surrounding the property and small size of the impacts, it is not possible or desirable to create a significant block of habitat on the site.

5. The project provides for the development of the least sensitive habitat areas.

The project site contains two sensitive habitat types: chaparral and flat topped buckwheat. The cell site is being placed on the least sensitive region of the site on the existing residence. What little habitat the project is impacting has minimal value for long-term conservation of sensitive plants or wildlife. Therefore, the development of this cell site will preserve higher quality habitat through off-site mitigation.

6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.

No sensitive plant species and one sensitive animal species was observed on-site. Off site mitigation purchases within MSCP will be for 0.4 acres of chaparral and 0.1 acres of flat topped buckwheat. The mitigation will effectively conserve this habitat. Therefore, the project will not impact key regional populations of covered species.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The site is not located adjacent to any known golden eagle nest sites or within known eagle foraging areas. Therefore, the project will not affect any large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule Deer, Golden Eagles and large predators.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

No narrow endemic species have been identified on the project site. Most sensitive species have a low potential to be present on this site due to the existing development and adjacent residential development.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The project site is not considered a Biological Resources Core Area for the reasons stated in section II.A. The site has low biological diversity, limiting its potential to support significant habitat blocks or populations of any species. In addition, existing development on site and adjacent to it, preclude the majority of the site from being a biologically-viable preserve. Therefore, development of the site will not hinder possible preserve systems within the Subarea Plan.

- 10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

The project is not proposing any onsite open space.

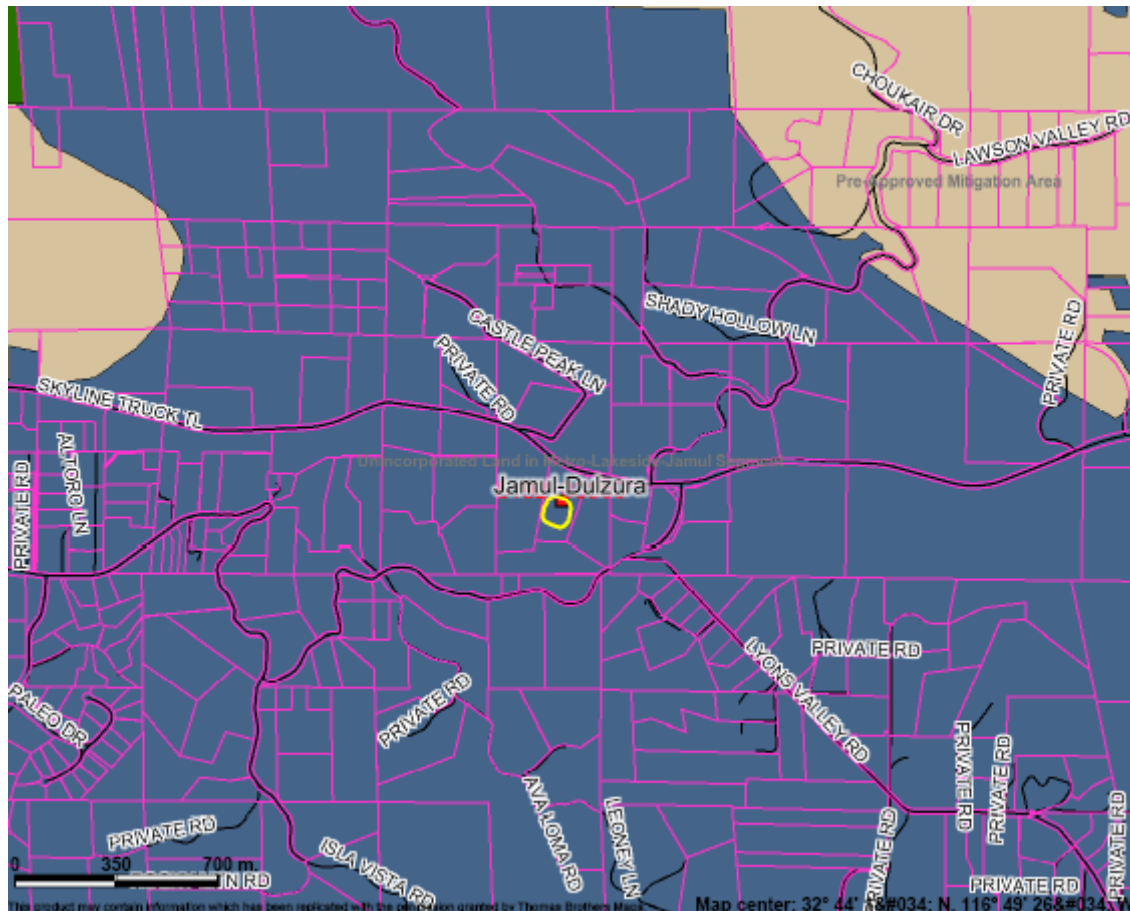
- 11. Every effort has been made to avoid impacts to BRCA's, to sensitive resources, and to specific sensitive species as defined in the BMO.**

The project site is not a BRCA. No significant populations of sensitive species are expected to reside on the property due to its history of disturbances and existing

surrounding land uses. The project site as a whole is not considered sensitive. The minimal impacts to chaparral and flat-topped buckwheat habitat will be fully mitigated off site in a BRCA where the preservation will contribute to regional preservation of species and diverse habitats.

Monica Bilodeau, Department of Planning and Land Use
May 23, 2008

MSCP Designation for North Jamul Wireless Facility CA 5178A P04-043; ER 04-19-019



<ul style="list-style-type: none"> Parcels — Highways — Freeways — Streets — Water Bodies — Water Bodies — MSCP_Designations - South Hardline Preserve Pre-Approved Mitigation Area (PAMA) Major Amendment Area Minor Amendment Area Minor Amendment Area Subject to Special Considerations 	<ul style="list-style-type: none"> Conserved Subject to Agreement with Wildlife Agencies Santa Fe Valley Open Space II Santa Fe Valley 'D' Designator Otay Ranch Areas Where No Take Permits will be Issued Take Authorized Area Unincorporated Land in Metro-Lakeside-Jamul Segment Other Community Planning Area
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